



# Senate

## File No. 907

General Assembly

January Session, 2007

**(Reprint of File No. 268)**

Substitute Senate Bill No. 1094  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
June 1, 2007

### ***AN ACT CONCERNING SCHOOL BULLYING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-222d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) Each local and regional board of education shall develop and  
4 implement a policy, for use on and after February 1, 2003, to address  
5 the existence of bullying in its schools. Such policy shall: (1) Enable  
6 students to anonymously report acts of bullying to teachers and school  
7 administrators and require students to be notified annually of the  
8 process by which they may make such reports, (2) enable the parents  
9 or guardians of students to file written reports of suspected bullying,  
10 (3) require teachers and other school staff who witness acts of bullying  
11 or receive student reports of bullying to notify school administrators,  
12 (4) require school administrators to investigate any written reports  
13 filed pursuant to subdivision (2) of this section and to review any  
14 anonymous reports, (5) include an intervention strategy for school staff  
15 to deal with bullying, (6) provide for the inclusion of language in

16 student codes of conduct concerning bullying, (7) require the parents  
17 or guardians of students who commit any verified acts of bullying and  
18 the parents or guardians of students against whom such acts were  
19 directed to be notified, (8) require each school to maintain a list of the  
20 number of verified acts of bullying in such school and make such list  
21 available for public inspection, and (9) direct the development of case-  
22 by-case interventions for addressing repeated incidents of bullying  
23 against a single individual or recurrently perpetrated bullying  
24 incidents by the same individual that may include both counseling and  
25 discipline. [The] When necessary to protect the health or safety of a  
26 student or other individual, the notification required pursuant to  
27 subdivision (7) of this section shall include a description of the  
28 response of school staff to such acts and any consequences that may  
29 result from the commission of further acts of bullying. For purposes of  
30 this section, "bullying" means any overt acts by a student or a group of  
31 students directed against another student with the intent to ridicule,  
32 harass, humiliate or intimidate the other student while on school  
33 grounds, at a school-sponsored activity or on a school bus, which acts  
34 are [repeated against the same student over time] committed more  
35 than once against any student during the school year. Such policies  
36 may include provisions addressing bullying outside of the school  
37 setting if it has a direct and negative impact on a student's academic  
38 performance or safety in school.

39 (b) On and after January 1, 2008, if the Department of Education  
40 finds that a local or regional board of education has failed to  
41 implement the policy required pursuant to subsection (a) of this  
42 section, the department shall withhold from the grant paid pursuant to  
43 section 10-262i to the town or regional school districts an amount not  
44 less than two thousand five hundred dollars nor more than ten  
45 thousand dollars.

46 Sec. 2. Subsection (a) of section 10-220a of the general statutes is  
47 repealed and the following is substituted in lieu thereof (*Effective July*  
48 *1, 2007*):

49 (a) Each local or regional board of education shall provide an in-  
50 service training program for its teachers, administrators and pupil  
51 personnel who hold the initial educator, provisional educator or  
52 professional educator certificate. Such program shall provide such  
53 teachers, administrators and pupil personnel with information on (1)  
54 the nature and the relationship of drugs, as defined in subdivision (17)  
55 of section 21a-240, and alcohol to health and personality development,  
56 and procedures for discouraging their abuse, (2) health and mental  
57 health risk reduction education which includes, but need not be  
58 limited to, the prevention of risk-taking behavior by children and the  
59 relationship of such behavior to substance abuse, pregnancy, sexually  
60 transmitted diseases, including HIV-infection and AIDS, as defined in  
61 section 19a-581, violence, child abuse and youth suicide, (3) the growth  
62 and development of exceptional children, including handicapped and  
63 gifted and talented children and children who may require special  
64 education, including, but not limited to, children with attention-deficit  
65 hyperactivity disorder or learning disabilities, and methods for  
66 identifying, planning for and working effectively with special needs  
67 children in a regular classroom, (4) school violence prevention, [and]  
68 conflict resolution and prevention of bullying, as defined in subsection  
69 (a) of section 10-222d, as amended by this act, (5) cardiopulmonary  
70 resuscitation and other emergency life saving procedures, (6) computer  
71 and other information technology as applied to student learning and  
72 classroom instruction, communications and data management, (7) the  
73 teaching of the language arts, reading and reading readiness for  
74 teachers in grades kindergarten to three, inclusive, and (8) second  
75 language acquisition in districts required to provide a program of  
76 bilingual education pursuant to section 10-17f. The State Board of  
77 Education, within available appropriations and utilizing available  
78 materials, shall assist and encourage local and regional boards of  
79 education to include: (A) Holocaust education and awareness; (B) the  
80 historical events surrounding the Great Famine in Ireland; (C) African-  
81 American history; (D) Puerto Rican history; (E) Native American  
82 history; (F) personal financial management; and (G) topics approved  
83 by the state board upon the request of local or regional boards of

84 education as part of in-service training programs pursuant to this  
85 subsection.

86 Sec. 3. Subdivision (3) of subsection (a) of section 10-233d of the  
87 general statutes is repealed and the following is substituted in lieu  
88 thereof (*Effective July 1, 2007*):

89 (3) Unless an emergency exists, no pupil shall be expelled without a  
90 formal hearing held pursuant to sections 4-176e to 4-180a, inclusive,  
91 and section 4-181a, provided whenever such pupil is a minor, the  
92 notice required by section 4-177 and section 4-180 shall also be given to  
93 the parents or guardian of the pupil. If an emergency exists, such  
94 hearing shall be held as soon after the expulsion as possible. The notice  
95 shall include information concerning legal services provided free of  
96 charge or at a reduced rate that are available locally and how to access  
97 such services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	10-222d
Sec. 2	<i>July 1, 2007</i>	10-220a(a)
Sec. 3	<i>July 1, 2007</i>	10-233d(a)(3)

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	Revenue Loss	Potential	Potential

**Explanation**

This bill results in a potential revenue loss to local and regional school districts as it requires the State Department of Education to withhold between \$2,500 and \$10,000 in ECS payments to districts that fail to implement bullying policies. There is no cost to local and regional school districts in adding bullying prevention training to their in-service offerings as all districts are already required to have policies on bullying and thus staff would be trained according to the existing policies.

House "A" is technical and/or has no fiscal impact.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis****sSB 1094 (as amended by House "A")\******AN ACT CONCERNING SCHOOL BULLYING.*****SUMMARY:**

The bill redefines bullying as overt acts by one or more students intended to ridicule, harass, humiliate, or intimidate that are committed more than once against any student during the school year on school grounds, at a school-sponsored activity, or on a school bus. Current law includes only these acts that are repeated against the same student over time.

This bill specifically requires local and regional boards of education to implement policies to address bullying in schools. Current law requires the boards to have developed the policies for use on and after February 1, 2003. Currently bullying policies must require schools to notify the parents of the students involved in bullying incidents. The bill limits this requirement to situations where it is necessary to protect the health or safety of a student or other person.

Beginning January 1, 2008, the bill requires the State Department of Education to withhold between \$2,500 and \$10,000 in Education Cost Sharing funds from a district it finds has failed to implement the policy. It also expands the in-service training topics that boards must provide to include bullying prevention.

By law, except in an emergency, a local or regional school board must hold a hearing before expelling any student from school and must give the student and, if the student is a minor, his parent or guardian, reasonable notice of the hearing as required by the Uniform Administrative Procedure Act. The bill requires the notice to also give

the student and his parent or guardian information about (1) free or reduced rate legal services that are locally available and (2) how the student or parent may access the services.

\*House Amendment "A" changes the definition of bullying to include acts committed against any student, rather than "another student" and during the school year, rather than over time. It limits the parental notification requirement to certain situations. It also changes the effective date for the penalty for failure to implement bullying policies and adds the legal services notice provision.

EFFECTIVE DATE: July 1, 2007

## **BACKGROUND**

### ***Bullying Policies***

The law requires board policies to:

1. enable students to anonymously report acts of bullying to teachers and school administrators,
2. enable parents or guardians to report bullying to teachers and school administrators,
3. require school staff who witness or receive reports of bullying to notify school administrators,
4. require school personnel to investigate anonymous reports,
5. include a strategy for school staff to intervene when they witness bullying,
6. include language in student codes of conduct about bullying,
7. provide notice to parents or guardians of bullying,
8. require each school to keep a list of verified acts of bullying available for public inspection, and
9. provide for case-by-case interventions to address (1) repeated

bullying incidents against a certain person or (2) recurrent bullying by a certain person.

***Legislative History***

The Senate passed the bill (File 268) with Senate Amendment "A" on May 2. Senate "A" added language on physical altercations and giving boards the opportunity to explain their actions before funds are withheld. On May 17, the House rejected Senate "A" and on May 31, passed the bill as amended by House "A."

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 29 Nay 1 (03/19/2007)

Appropriations Committee

Joint Favorable

Yea 31 Nay 13 (05/14/2007)